

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:07CR463-001
)	
Plaintiff,)	
)	
v.)	Judge Peter C. Economus
)	
EKRAMI M. AYOUB,)	
)	
Defendant.)	<u>ORDER</u>

On February 11, 2008, the Defendant, Ekrami M. Ayoub, was sentenced to six (6) months imprisonment, followed by three (3) years of supervised release, for being in Receipt of Stolen Property, a Class C felony. His supervised release commenced on March 21, 2008.

On or about December 12, 2008, the Defendant's probation officer submitted a violation report alleging the following violations of the terms of supervised release:

1. **ILLICIT DRUG USAGE** - On November 26, 2008, the offender submitted a urine specimen that tested presumptive positive for Cannabinoid. Due to insufficient sample, the specimen could not Be mailed for further testing to Kroll Laboratories. The offender signed an acknowledgment of Usage Form admitting to using on November 22, 2008.
2. **ILLICIT DRUG USAGE** - On December 2, 2008, the offender submitted a urine specimen that tested positive for cannabinoid. The results were certified as positive by Kroll Laboratories on December 10, 2008.
3. **FAILURE TO REPORT AS INSTRUCTED** - On November 26, 2008, the offender was instructed to report before work every Monday to the Probation Office to submit a urine specimen. The offender failed to report on Monday, December 1, 2008, but reported on Tuesday December 2, 2008.

4. **FAILURE TO SUBMIT HIS WRITTEN MONTHLY SUPERVISION REPORT** - The offender has failed to submit his written Monthly Supervision Report for November, 2008.
5. **FAILURE TO PAY RESTITUTION** - The offender has made no payments towards his restitution, leaving a balance of \$4,500.00.
6. **FAILURE TO PAY FINE** - The offender has made no payments towards his fine, leaving a balance of \$5,000.00.

The matter was referred to Magistrate Judge James S. Gallas to conduct the appropriate proceedings, except for sentencing, and to prepare a report and recommendation. The Defendant appeared before the Magistrate for a violation hearing on December 30, 2008, and was represented by counsel Timothy P. Haffey. At the hearing, the Defendant admitted to violations one, two, three, four, five, and six. The Magistrate has issued a Report and Recommendation, recommending that the Court find that the Defendant has violated the terms of his supervised release. (Dkt. # 84.)

The Court has reviewed the Magistrate's Report and Recommendation and finds that it is well-supported. The Defendant has admitted violations one, two, three, four, five, and six of the probation officer's violation report. As a result, the Court finds that the Defendant has violated the terms of his supervised release.

The Court hereby **ADOPTS** the Magistrate's Report and Recommendation. (Dkt. # 84.) By agreement of the probation officer and defense counsel, the Defendant is released to continue supervision with the added condition that the defendant participate in a Location Monitoring Program at the discretion of the officer.

IT IS SO ORDERED.

s/ Peter C. Economus - February 3, 2009

PETER C. ECONOMUS

UNITED STATES DISTRICT JUDGE